



## **AFFIRMATIVE MARKETING POLICY (EQUAL HOUSING OPPORTUNITY)**

### **STATEMENT**

This Affirmative Marketing Policy ("the Policy") is developed for use in Home Investment Partnership ("HOME")-funded projects in accordance with the HOME Program regulations, including but not limited to 24 CFR 92.351, of the of the U.S. Department of Housing and Urban Development ("HUD"). The Policy is a commitment of the legislative body, City staff, and the HOME-funded participant ("Beneficiary"). The Beneficiary shares responsibility with the City of Fresno in informing the public about the Federal Fair Housing laws, soliciting eligible persons without regard to race, color, national origin, sex, sexual orientation, source of income, religion, familial status, or disability into the affordable housing market and evaluating the effectiveness of these marketing efforts.

This Affirmative Marketing Policy is documented and maintained in the Department of Housing and Neighborhood Revitalization files, and shall be included in all HOME project proposals and agreements and HOME case files. The Beneficiary is held to the terms of the Policy by the requirements in the applicable HOME or HOME/Community Housing Development Organization ("CHDO") Agreement.

### **PURPOSE**

In accordance with the regulations of the HOME Program and in furtherance of the City of Fresno's commitment to non-discrimination and equal housing opportunity, the City establishes procedures to affirmatively market units constructed or rehabilitated under the HOME Program.

It is the Affirmative Marketing Policy of the City of Fresno to assure that individuals who normally might not apply for available housing units because they are socially and/or economically disadvantaged:

- be informed of available units
- be encouraged to apply
- have an equal opportunity to rent/own their own units

#### **1. METHODS FOR THE CITY TO USE TO INFORM THE PUBLIC, POTENTIAL TENANTS, AND POTENTIAL OWNERS ABOUT FEDERAL FAIR HOUSING LAWS AND AFFIRMATIVE MARKETING POLICIES AND PROCEDURES**

- A. The City of Fresno Housing and Neighborhood Revitalization Department shall be responsible for implementing the Affirmative Marketing Policy and evaluating its effectiveness as required by the HOME Program.
- B. The Housing and Neighborhood Revitalization Department shall inform the community about its Affirmative Marketing Policy through periodic updates with

the City's Housing and Community Development Commission and Citizens Advisory Committee, as well as through training workshops with its HOME and HOME/CHDO applicants.

- C. All graphic presentations by the City concerning the HOME Program shall display the HUD Equal Housing Opportunity logo or slogan.
- D. At the time of HOME funding, the City of Fresno shall also provide the Beneficiary copies of the CALIFORNIA TENANTS produced by the State Department of Consumer Affairs or a similar document. The Beneficiary shall provide initial homeowners, tenants, and rental property owners with copies.
- E. The City shall continue its practice of providing general information and telephone reference numbers to persons contacting the Housing and Neighborhood Revitalization Department with questions regarding Affirmative Marketing, Federal Fair Housing, tenant's rights, assisted housing, and correction of substandard conditions in tenant-occupied dwellings.

2. **REQUIREMENTS AND PRACTICES EACH BENEFICIARY OF A HOUSING PROJECT USING HOME PROGRAM FUNDS MUST ADHERE TO IN ORDER TO CARRY OUT THE CITY'S AFFIRMATIVE MARKETING POLICY**

It is the City of Fresno's Policy to require that each Beneficiary of a housing project completed or partially completed with HOME Program funds:

- A. Incorporate an Equal Housing Opportunity statement and logo in its correspondence which shall be used relating to the HOME Program.
- B. Purchase advertisements in the Fresno Bee and other minority newspapers advertising vacant units in advance of selecting a buyer or tenant without holding units off the market. All ads must contain an Equal Housing Opportunity statement and logo.
- C. Notify the Housing Authorities of the City and County of Fresno when vacant units are available for purchase or rent.
- D. Notify the City's Housing and Neighborhood Revitalization Department when vacant units are available for purchase or rent.

3. **PROCEDURES TO BE USED BY BENEFICIARIES TO INFORM AND SOLICIT APPLICATIONS FROM PERSONS IN THE HOUSING MARKET AREA WHO ARE NOT LIKELY TO APPLY FOR HOUSING WITHOUT SPECIAL OUTREACH**

- A. In order to solicit applications from persons in the housing market area who are not likely to apply for housing under the HOME Program without special

outreach, each Beneficiary in conjunction with the Housing and Neighborhood Revitalization (HNR) staff shall send notices of vacant units, or units that will become vacant within 30 days to an approved mailing list maintained by the HNR staff for the required period of affordability as referenced in the applicable HOME Agreement. This list will include but not be limited to the following:

- Housing Authorities of the City and County of Fresno, Fair Housing Office, Social Security Office, Veterans Administration Office, or other agencies where socially and economically disadvantaged individuals are receiving services.

4. **RECORDS THAT WILL BE KEPT DESCRIBING ACTIONS TAKEN BY THE CITY OF FRESNO AND BENEFICIARIES TO AFFIRMATIVELY MARKET UNITS AND RECORDS TO ASSESS ACTIONS**

A. The City of Fresno will keep the following records:

1. Copies of all meeting agendas and minutes of the City's Housing and Community Development Commission and Citizens Advisory Committee pertaining to this Policy, and all agendas and training materials of any HOME/CHDO training workshop pertaining to this Policy.
2. Copies of correspondence, agreements, reports and any home buyer or tenant surveys conducted before and after new construction or rehabilitation of HOME-funded units.

B. The City shall also request owners of property assisted under HOME to maintain records of how vacancies were advertised. The records should also show how applications filed by Hispanics, African Americans, Asians/Pacific Islanders, American Indians, persons with disabilities, and women were processed following completion by the applicant. The City shall have the Beneficiary submit annual reports through June 30th to be submitted by July 31st, as established by the HOME or HOME/CHDO Agreement, identifying those served. This information shall be included in the Consolidated Annual Performance and Evaluation Report (CAPER). This information shall be required for the period of affordability as referenced in the applicable HOME Agreement.

5. **DESCRIPTION OF HOW THE CITY OF FRESNO WILL ASSESS THE SUCCESS OF AFFIRMATIVE MARKETING ACTIONS, AND WHAT CORRECTIVE ACTIONS WILL BE TAKEN**

A. The City will assess the effectiveness of its Affirmative Marketing Policy on an annual basis by August 31st and will include a summary of the "good faith efforts" taken by the City and by HOME/CHDO Beneficiaries in the CAPER.

- B. The City will compare the information compiled in the manner described under Section 4: "Record keeping," and evaluate the degree to which statutory and policy objectives were met. If the required steps were taken, the City will determine that good faith efforts have, in fact, been made.
- C. To determine results, the City may examine whether or not specific groups in the City of Fresno applied for or became tenants or owners of HOME- or HOME/CHDO-funded units that were affirmatively marketed. If the City finds that specific groups are represented, particularly Hispanics, African Americans, Asians/Pacific Islanders, American Indians, persons with disabilities and women, the City will assume that the Affirmative Marketing procedures were effective. If one or more groups are not represented within the context of existing neighborhood composition, the City will review its procedures to determine what changes, if any, might be made to make the Affirmative Marketing efforts more effective.
- D. The City of Fresno will take corrective action if it is determined that a Beneficiary has failed to carry out Affirmative Marketing efforts as required. If a Beneficiary continues to neglect responsibilities made incumbent by the terms of the HOME or HOME/CHDO Agreement, the City will consider taking one or both of the following actions:
1. Declare the Beneficiary disqualified from any further assistance made available under the HOME Program.
  2. Notify the Beneficiary of the HOME Program funds that there is a violation of the terms of the HOME or HOME/CHDO Agreement and that the City may exercise its right to require immediate repayment of the grant or loan.
- E. The Housing and Neighborhood Revitalization Department shall not proceed with corrective action without allowing time and effort by staff to counsel the Beneficiary in accordance with the terms of the HOME or HOME/CHDO Agreement.
- F. The City of Fresno will carry out assessment activities and complete a written assessment of Affirmative Marketing efforts in accordance with each HOME or HOME/CHDO Agreement in compliance with HUD regulations.

*Revised: February 4, 2000*